

15. (Unchanged).

16. (Unchanged).

17. (Amended) A system according to claim 9,

characterized in that

~~said signaling information provided by said means for inserting and evaluating signaling information (12;22) into and from individual frames indicate coding modes used by the means for coding and decoding (10, 11;20,21), and said signaling information provided by said means for partitioning signaling information (12;22) and inserting and evaluating said partitioned information into and from different frames indicate a quality measurement for transmission.~~

18. (Unchanged).

19. (Unchanged).

Remarks

In this reply, claims 1, 3, 11 and 17 are amended. Claim 1, 2, 4-10 and 12-19 are unchanged.

The Examiner stated that claims 1, 11 and 17 failed to comply with 37 CFR § 1.75(d)(1). Claims 1, 11 and 17 as amended herein are in compliance with 37 CFR § 1.75(d)(1), having been amended to remove the basis for the Examiner's objections.

The Examiner rejected applicants' claims 1, 2, 7-10, 13 and 14 under 35 USC § 102(e). The Examiner cites US Patent No. 5,881,105 to Balachandran et al. (Balachandran hereinafter) as the basis for the rejection.

Specifically, the Examiner argues that claim 1 is anticipated by Balachandran et al. However, there does not appear to be any disclosure or suggestion of the step of "inserting signalling information related to individual frames into said individual frames." This step is recited in applicants' claims 1 and 9. The signaling information, referred to as "an FACCH message" or "control message" in Balachandran is discussed at col. 4, lines 3-18. There does not appear to be any suggestion in Balachandran that the control message is related to the frames in which it is transmitted. Furthermore, there is no suggestion in Balachandran that any advantage would be achieved if the control message were to be related to the frames in which it is transmitted. It is therefore submitted that the method of claim 1 and the system of claim 9 are not disclosed or

suggested by Balachandran. Consequently, the dependent method claims (2, 7 and 8) and the corresponding dependent system claims (10, 13 and 14) are believed to be novel and inventive.

Claim 3 has been amended. Claim 3, as amended, is an independent method claim that has the combined features of claims 1 and former claim 3. An amended claim 11 has also been added. Amended claim 11 has combined therein claim 9 with previous claim 11. Claims 3 and 11, as amended recite a method and a system, respectively, in which the signaling information and the partitioned signaling information indicate a coding mode used for coding and decoding data in the transmission system. This feature is not disclosed or suggested by the cited references.

The Examiner argues that claims 3, 4 and 15-19 are obvious under 35 USC § 103(a). The Examiner cited Balachandran et al. and U.S. Patent No. 6,134,220 to Le Strat et al. (Le Strat hereinafter) as the basis for this rejection. The Examiner refers to col. 7, lines 40-42 and col. 14, lines 60-63 of Le Strat, which recite respectively “means for transmitting to said mobile station information representative of the coding and/or transmission modes selected” and “[t]he change mode commands and the quality information are transmitted in the protocol data . . . [i]n the case of the GSM system, they could be placed in the ACCH or FACCH channels.” The Examiner states that the disclosure that change mode commands can be placed in an FACCH channel would make the feature of claim 3 obvious over Balachandran since Balachandran discloses that FACCH is sent in successive frames. However, there is no suggestion in either Balachandran or Le Strat that coding information should be inserted into individual frames to which it is related, or partitioned and inserted into different frames. It is therefore submitted that the feature of claim 3 is not obvious over Balachandran and Le Strat. Amended claims 3 and 11 both recite “partitioning signaling information and inserting partitioned signalling information into different frames.” Neither Balachandran nor Le Strat discloses this feature. Claims 3 and 11 are therefore believed to be novel and inventive over the cited documents.

With regard to claims 4 and 15-19, these claims are patentable by virtue of their dependence from claim 1 (claim 4) and claim 9 (claims 15-19). The references simply do not disclose partitioning signaling information into different frames.

The Examiner rejected claims 5, 11 and 12 as obvious under 35 USC § 103(a). The Examiner cited Balachandran in view of U.S. Patent No. 5,199,031 to Dahlin et al. (Dahlin hereinafter) as the basis of this rejection. As previously noted, claim 1 (upon which claim 5 depends), new independent claim 11 and claim 9 (upon which claim 12 depends) all recite either a method or a system in which the signaling information is partitioned and inserted into separate frames. For this reason claims 5, 11 and 12 are not obvious in view of Balachandran et al. in view of Dahlin et al.

Similarly, the Examiner rejected claim 6 as obvious under 35 USC § 103(a). The Examiner cited Balachandran in view of Dahlin and further in view of U.S. Patent No. 6,286,112 to Alanara (Alanara hereinafter) as the basis for this rejection. Claim 6 depends from claim 1 and is patentable for this reason. The combination of references does not describe a method in which signaling information is partitioned and inserted into different frames.

Based upon the foregoing arguments and amendments, applicants submit that their claims are in condition for allowance. Favorable action is respectfully requested.

Respectfully submitted,

Alfons Eizenhoefer
Peter Kuczynski
Said Tatesh

By Richard J. Botos
Richard J. Botos
Reg. No. 32,016
Phone (908) 508-8520

Date: 10/16/02
Docket Administrator
Agere Systems Inc.
Four Connell Drive, Room 4U533C
Berkeley Heights, New Jersey 07922

MARKED-UP VERSION OF AMENDED CLAIMS

1. (Amended) A method for signaling of information in a frame based transmission system, whereat the signaling information contains information necessary for the operation of the transmission system[.]

characterized by steps of
inserting signaling information related to individual frames into said individual frames, and

partitioning signaling information and inserting said partitioned signaling information into different frames.

2. (Unchanged).

3. (Amended) [A method according to claim 1 or 2
characterized in, that] A method for signaling of information in a frame based transmission system, whereat the signaling information contains information necessary for the operation of the transmission system,

characterized by steps of
inserting signaling information related to individual frames into said individual frames, and

partitioning signaling information and inserting said partitioned signaling information into different frames, wherein said signaling information and said partitioned signaling information indicate a coding mode used for coding and decoding data in the transmission system.

4. (Unchanged).

5. (Unchanged).

6. (Unchanged).

7. (Unchanged).

8. (Unchanged).

9. (Unchanged).

10. (Unchanged).

11. (Amended) [A system according to claim 9 or 10,
characterized in, that] A frame based transmission system for signaling of
information, whereat the signaling information contains information necessary for the

operation of the transmission system, having means for coding and decoding of data (10, 11;20, 21), means for handling the coded data in frame format (14;24) and means for transmitting and receiving the frames (15, 16;25, 26),

characterized by

means for inserting and evaluating signaling information (12;22) into and from individual frames related to said individual frames, and means for partitioning signaling information (12;22) and inserting and evaluating said partitioned information into and from different frames wherein means for channel coding and decoding (13;23) are used to channel code and decode the signaling information provided by said means for inserting and evaluating signaling information (12;22) into and from individual frames.

12. (Unchanged).

13. (Unchanged).

14. (Unchanged).

15. (Unchanged).

16. (Unchanged).

17. (Amended) A system according to claim 9,

characterized in that

 said signaling information provided by said means for inserting and [evaluation] evaluating signaling information (12;22) into and from individual frames indicate coding modes used by the means for coding and decoding (10, 11;20,21), and said signaling information provided by said means for partitioning signaling information (12;22) and inserting and evaluating said partitioned information into and from different frames indicate a quality measurement for transmission.

18. (Unchanged).

19. (Unchanged).